

FACT SHEET
Draft Hazardous Waste Site Management Plan
BASF Corporation
Louisville, Jefferson County, Kentucky
EPA ID # KYD- 006-384-531
AI# 2061

The Kentucky Energy and Environment Cabinet (Cabinet) and the Division of Waste Management (Division) have reached a tentative decision to approve a Site Management Plan and Environmental Covenant for BASF Corporation (BASF), formerly Engelhard Corporation. The facility is located at 3400 Bank Street, Louisville, Jefferson County, Kentucky. The facility's project contact is R. William Johnston and he may be reached at (502) 721-5702.

Purpose of the Site Management Plan

The Division has tentatively decided to approve a Site Management Plan for BASF for monitoring groundwater for a period of two years and management of in-place constituents. The Site Management Plan documents the current environmental conditions on the property and any constituents of concern that remain in the soil, exceeding the 2002 Preliminary Remediation Goals (PRGs). The Site Management Plan also outlines all steps that will be taken to ensure that the potential for future complete exposure pathways from soil to groundwater are minimized. The Site Management Plan is also accompanied by an Environmental Covenant and serves to ensure environmental and human health concerns. An Environmental Covenant will be attached to the deed for the site and describes the environmental conditions of the site and any corrective action activities that might be required of the facility. The Environmental Covenant will restrict the future use of areas in which constituents above the 2002 PRGs are managed in-place.

Facility Description

The BASF Corporation currently manufactures organic pigments and water-based colorants used in a variety of consumer products. In January of 1994 a RCRA Facility Assessment (RFA) was conducted and approved. The RFA identified 16 Solid Waste Management Units (SWMUs) and 3 Areas of Concern (AOCs). Nine of the units were recommended for further action while the remaining nine were approved for "no further action." Then on December 14, 2001 the Kentucky Energy and Environment Cabinet and BASF Corporation entered into an Agreed Order together to address a specific corrective action issue at the facility. On July 13, 2004, after a visit to the facility by KDWM, a new SWMU was identified. This required an amendment to the Agreed Order to address corrective actions at Building 3, the new SWMU. SWMU 8 is located on the north side of Building 7. This is the Iron Blue Pit which was a settling pond for filtrate from iron blue pigment process. SWMUs 6 and 8 achieved closure at the same time. There was approximately 450 cubic yards of material removed from both SWMUs and transported for disposal offsite. SWMU 8 was backfilled with soil and is now located underneath an asphalt cap. AOC A is located on the east side of Building 27 underneath the concrete loading dock. AOC A is the Bulk Liquid Storage Area which was made up of seven raw materials above ground storage tanks (ASTs).

The seven tanks have a history of five total releases, and managed cadmium sulfate, caustic solution, hydrochloric acid, nitric acid, sulfuric acid, and acetic acid. AOC A is managed under the Environmental Covenant which restricts the soils for industrial use only. Building 3 was the Lead Chromate Pigment Plant. The building was demolished under an Interim Measures action in July of 2005. Since then multiple soil characterizations have been conducted resulting in the findings of the presence of chromium, hexavalent chromium and total lead above industrial Preliminary Remediation Goals (PRGs). Building 3 soils were remediated with an in-situ application of a chemical treatment. After the soils were remediated to the fullest extent possible, some levels of total lead, chromium, and hexavalent chromium remained due to structural and infrastructure constraints. The soils of Building 3, which includes Parcels 1 and 2, has had the installation of an asphalt cap. The Site Management Plan will manage the soil that has concentrations remaining above industrial PRGs and the Environmental Covenant will manage the soil with concentrations above residential PRGs.

The Site Management Plan has been prepared to manage groundwater monitoring for a period of two years, one of which has already been completed, and management of in-place constituents for SWMU 8 and Building 3. The Environmental Covenant is supplemental to the Site Management Plan and will restrict the residential use of soils for AOC A and designated portions of Building 3.

How to make a Comment on the Decision

Any person interesting in commenting on this decision must do so within the forty five (45) day comment period. Title 401 Kentucky Administrative Regulations chapter 38 requires that the public be given a forty-five (45) day comment period for each permit prepared under Kentucky Revised Statutes. The comment period begins on **October 18, 2009**, coincident with the date of the publication of the public notice in **the Courier Journal** and ends on **December 1, 2009**. Anyone wishing to submit a comment on or before midnight of **December 1, 2009**, the end of the public comment period, needing additional information, or wanting to be put on the facility mailing list should send electronic comments to Kelly Neal at kelly.neal@ky.gov or mail April Webb, P.E., Branch Manager, Division of Waste Management, Hazardous Waste Branch, 200 Fair Oaks Lane, Frankfort KY 40601. The administrative record, which includes the site management plan and related information, can be reviewed at three locations:

Louisville Free Public Library
301 York Street
Louisville KY 40203
Point of Contact: Seth Cohen
(502) 574-1611
Hours of Operation:
Mon.-Thur. 9a.m.-5p.m
Fri.-Sat. 9a.m.-5p.m.

Division of Waste Management
200 Fair Oaks Lane
Frankfort KY 40601
Point of Contact: Tina Fisher
(502) 564-6716 ext. 4686
Email: Tina.Fisher@ky.gov
Hours of Operation:
Mon.-Fri. 8:00a.m. - 4:30p.m.

Louisville Free Public Library
Portland Branch
3305 Northwestern Pkwy
Louisville KY 40212
Point of Contact: Seth Cohen
(502)574-1744
Hours of Operation:
Mon., Tues, & Thurs. 12p.m.-8p.m.
Wed. 10a.m.-8p.m.
Fri. & Sat. 10a.m.-5p.m. Sun. Closed

To make an appointment, submit a written request to Ms. Tina Fisher at least 72 hours prior to the desired review date. Copying charges are .10 cents per page and \$3 for each map. Upon request, this information can be made available in alternate formats.

The Cabinet will consider all comments received during the comment period and release a Response to Comments document. All significant comments and Cabinet response to comments on the permit will be included in the Response to Comments document. Any person, who may be aggrieved by the issuance of the site management plan for this facility, may file with the Cabinet a petition, which sets forth the grounds of the objection and demands for a formal administrative hearing pursuant to KRS 224.10-420(2). The administrative hearing is held before a hearing officer and all parties are advised to have legal counsel present. The Cabinet will hold a public hearing if requested.

The Division of Waste Management does not discriminate on the basis of race, age, religion, sexual orientation or gender identity, ancestry, age, disability, or veteran status. The division provides, on request, reasonable accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternate format, contact Kelly Neal at (502) 564-6716, ext. 4684